

SEPTEMBER 30, 2021

**LAKE COUNTY COMMISSIONERS' MEETING MINUTES**

|                                 |                              |
|---------------------------------|------------------------------|
| JOHN R HAMERCHECK, COMMISSIONER | JASON W. BOYD, ADMINISTRATOR |
| JOHN PLECNIK, COMMISSIONER      | LEGAL COUNSEL                |
| RON YOUNG, COMMISSIONER         | MIKE MATAS, BUDGET DIRECTOR  |
| JENNIFER BELL, CLERK            | NEWS MEDIA                   |

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(Tape 2021-0930)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 10:12 a.m., Thursday, September 30, 2021.

ROLL CALL: Upon roll being called, Commissioners Plecnik, Young and Hamercheck were present.

APPROVAL OF MINUTES:

Upon a motion by Commissioner Young, seconded by Commissioner Plecnik, the minutes of the Regular Meeting of September 23, 2021, were approved with the vote as follows: "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

OPEN TO THE PUBLIC: Commissioner Hamercheck asked if anyone in the audience wished to address the Board.

The Board of Commissioners was presented with the 2021 Ohio Public Transit Association Excellence Award for Collaborative Excellence. Ben Capelle, CEO of Laketrans, presented the award to the Board and to the County partners Senior Services Coordinator Alyea Barajas and Cristen Kane of Lake County Volunteer Network in recognition of the Mobile Food Pantry Program. This award recognizes a program, business, academic institution, or individual who has demonstrated an exemplary partnership or an innovative collaboration within the public transit industry for a sustained period of three months or more.

County Treasurer, Michael Zuren, explained how his office has been working on the surplus funds account. Since he has been in office, they have returned around \$50,000 so far to parcel owners in addition to returning \$47,000 to Lake Metroparks. He mentioned how proud he is of his staff and appreciates the Board's support. The Board is extremely impressed and thanked Mr. Zuren for hitting the ground running.

Marian Norman, Program Manager in the Planning and Community Development Department, discussed the Emergency Rental Assistance Program (ERAP); a program created in order to provide stability for landlords or tenants experiencing a COVID-related hardship. Funds can be used for current, past, or future rentals and interested individuals can apply online at fhrc.org; the website for the Fair Housing Resource Center. With 61% of the calls FHRC has received coming from individuals asking about this type of assistance, there has been a considerable response with (75) homes receiving over \$300,000 in assistance so far. In order to get the word out as much as possible, information is currently available on a billboard at the Lake County Fairgrounds and on social media and it will be provided in conjunction with the Mobile Food Pantry program and also in the upcoming county newsletter. The Board commended Ms. Norman, her team, and all the partners involved. They emphasized how instrumental Ms. Norman has been in seeking out this assistance as these funds were not given to the county automatically and how this will truly make a difference in people's lives.

RESOLUTIONS:

Commissioner Hamercheck asked if Resolution #12 could be moved up to the front of the agenda and the Board of Commissioners agreed.

**12. RESOLUTION PROCLAIMING OCTOBER 2021 DOMESTIC VIOLENCE AWARENESS MONTH IN LAKE COUNTY, OHIO (20210930\F01)(C-126)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young. Kathy Strancar, Executive Director of Forbes House, explained how October is Domestic Violence Awareness and Prevention Month. She gave the Board members flowers to represent "a life free from abuse is a life in full bloom". Forbes House is the only domestic violence shelter in Lake County dedicated to providing confidential services in a safe and supportive environment with survivors ranging from newborn babies to 81 years of age. In 2020, they provided shelter for (276) adults and children. Advocates responded to more than 2,000 calls with 741 crisis calls coming from hospitals or police departments. 227 individuals attended Support Groups and Court Advocates assisted 306 survivors in court. If you suspect someone may be in this situation, please refer them to forbeshouse.org or have them call (440) 357-1018. The Board thanked Kathy and accentuated how lucky we are to have Forbes House and how grateful they are for this opportunity to raise awareness. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**1. RESOLUTION ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$16,992.20 FOR SANITARY SEWERS AND \$1,216.16 FOR WATERLINES FOR RIDGEWOOD GREEN PHASE 2 SUBDIVISION IN THE CITY OF MENTOR AND THE CITY OF WILLOUGHBY (JOB NOS. 20-02 AND 20-59)(20210930\U01)(UT-12)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**2. RESOLUTION APPROVING THE LAKE COUNTY PREVENTION, RETENTION, AND CONTINGENCY PLAN BIENNIAL RENEWAL FOR THE PERIOD OF OCTOBER 1, 2021 TO SEPTEMBER 30, 2023; CERTIFYING COMPLIANCE WITH**

**CHAPTER 5108 OF THE OHIO REVISED CODE IN ADOPTING THE PLAN; AND AUTHORIZING EXECUTION OF THE PLAN (20210930\JFS01)(JFS-16)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young. Ms. Suzanne Casar explained how this is funded through TANF (Temporary Assistance to Needy Families) dollars. Qualifications include families, minor children residing with a parent or guardian, and pregnant women. This program helps with things like shelter, auto repairs, furniture, and more. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**3. RESOLUTION AUTHORIZING EXECUTION OF A SERVICE CONTRACT BETWEEN OHIOGUIDESTONE AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES TO PROVIDE A SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) EMPLOYMENT AND TRAINING PROGRAM TO REQUIRED PARTICIPANTS (20210930\JFS02)(JFS-2)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Ms. Casar explained that the SNAP program helps individuals work toward self-sufficiency. This is a contract with Guidestone who has worked with Job and Family Services for many years and they have a great working relationship. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**4. RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT OCTOBER 8, 2021, IN THE AMOUNT OF \$37,135.43 (20210930\JFS03)(JFS-14)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**5. RESOLUTION APPROVING THE TRANSFER OF BOND RETIREMENT FUNDS TO THE GENERAL FUND OF MORLEY LIBRARY AND DIRECTING THE LAKE COUNTY PROSECUTOR TO FILE A PETITION WITH THE LAKE COUNTY COURT OF COMMON PLEAS FOR THE TRANSFER OF BOND RETIREMENT FUNDS TO THE GENERAL FUND ON BEHALF OF MORLEY LIBRARY (20210930\C01)(C-52)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Assistant Prosecutor Dave Hackman stated that this resolution is for \$27,000 of extra money in the improvement fund for Morley Library and allows the money to be transferred. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**6. RESOLUTION REAPPOINTING KENNETH R. GAUNTNER TO THE LAKE COUNTY SENIOR CITIZEN ADVISORY PANEL FOR A NEW TERM COMMENCING OCTOBER 1, 2021 (20210930\C02)(B-20)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young. Commissioner Hamercheck stated that the Board had a very good problem; they had more qualified people than they had availabilities. He offered his congratulations to Mr. Gaunter and Ms. Kessler.

The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**7. RESOLUTION APPOINTING ELLEN FOLEY KESSLER TO THE LAKE COUNTY SENIOR CITIZEN ADVISORY PANEL FOR A TERM COMMENCING OCTOBER 1, 2021 (20210930\C03)(B-20)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Commissioner Hamercheck stated that Ellen Foley Kessler was a key member of RSVP and will be a tremendous addition to the Panel. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**8. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,653,488.09 (20210930\BC01)(C-4)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**9. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$1,750,435.22 (20210930\BC02)(C-17)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows: "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**10. RESOLUTION INCREASING AN APPROPRIATION FOR A NON-GENERAL FUND ACCOUNT (20210930\BC03)(C-111)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

**11. RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20210930\BC04)(C-111)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

DEPARTMENTAL REPORTS:

UTILITIES – Gary Fedak, Director of Operations, reminded the Board that the staff of the Solid Waste Landfill is comprised of only (8) county employees and he provided an update on its operation. 2020 was a record-breaking year for tonnage which may have been a result of the pandemic. A variety of companies used the landfill in 2020 including Major Waste, Republic, and Waste Management just to name a few. The amount of transactions spiked in summer and fell off some for winter but that is not unusual and although 2020 was a record year, 2021 is exceeding

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it so far as it relates to tonnage received. He thanked the Board, Tim Gourley, the Director of Solid Waste, and the staff for their outstanding work during these extremely busy last few years.

JOB AND FAMILY SERVICES – Ms. Suzanne Casar, Director of Job and Family Services, thanked the Board for collaborating on the postcards that were sent out to raise awareness regarding the “Signs of Elder Abuse”. The Board encouraged seniors and their family members to report suspected abuse, neglect, or exploitation to (440) 350-4000 and choose Option 1.

COUNTY ADMINISTRATOR – Jason Boyd reported that the taxpayers have overwhelmingly supported Senior Services and the Senior Citizen Advisory Panel has made recommendations to fill in certain gaps in services such as the Guardianship Program. He mentioned how he was at a symposium for ARP (American Rescue Plan) yesterday and wishes he had more details or definitive answers to give the Board. He has a lot of information to sift through but, as there are still no final rules yet, he believes it is well-advised to have those in place before presenting potential projects. His best “guesstimate” now is sometime near Christmas.

FINANCE – none.

CLERK –Commissioners Clerk, Ms. Jennifer Bell, stated that the next Commissioner’s Meeting will be held on Thursday, October 7, 2021 at 10:00 a.m.

LEGAL – none.

OLD BUSINESS: - none.

NEW BUSINESS: - none.

PUBLIC COMMENT: Commissioner Hamercheck asked if anyone in the audience wished to address the Board.

Mr. Brian Massie, 8196 Rainbow Drive stated that, from his years of past research, it appears that the ADAMHS Board does not really support the Forbes House much at all however, they fund “WomenSafe” which is out of Geauga County. He added that, in regards to the Lake County Visitors Bureau, he contacted their attorney, Jeff Ruple, to see if their Board of Directors would voluntarily revise their bylaws to comply with Ohio Sunshine Laws. He received a letter from the Executive Director, Neil Stein, and he provided a copy to the Board. It reads that, per the existing laws of the State of Ohio as a 501c 6 non-profit, they are not a public body and as such, they are not subject to the State of Ohio’s Sunshine Laws for Open Meetings and Public Records Requests. Mr. Massie wondered if the Board of Commissioners could incorporate the Visitors Bureau into the county or could the county open up their own Visitors Bureau department thereby holding them accountable to the Sunshine laws, etc. Mr. Hackman replied that the statute is not abundantly clear and he will continue to research it. Mr. Massie asked if the Port Authority could be expanded in order to encompass the Visitors Bureau and Mr. Hackman replied that the county does not represent the Port Authority so he can’t answer that at this time. In regards to Forbes House, Commissioner Hamercheck said that he met with the ADAMHS Board recently and he believes their support has increased as of late. He is also under the understanding that the funds that are going to “WomenSafe” were for Lake County residents.

Mr. Neil Stein, Executive Director of the Visitors Bureau, explained how Mr. Massie filed a lawsuit against the Visitors Bureau a few years ago before he came on board. Both the Lake County Court of Common Pleas and the Court of Appeals for the 11<sup>th</sup> Appellate District ruled that the Visitors Bureau is not a public body and therefore not subject to the provisions of the Open Meetings Act and Public Records Requests. This action cost his organization over \$20,000 in legal fees and if they factored in the time his staff and the Board has spent already, it would undoubtedly be even more thousands of dollars. He reminded the Board that they are audited every other year by the State and their 990 tax returns are publicly available for free on the IRS website. Commissioner Hamercheck reminded everyone that Mr. Stein answers to the Visitors Bureau Board, not the Board of Commissioners. Mr. Hackman echoed that statement by saying that the BOC has no control over the business activities of the Visitors Bureau.

ADJOURN: On a motion by Commissioner Young, seconded by Commissioner Plecnik, the Board adjourned the meeting at 12:02 p.m. with the vote as follows "AYES": Commissioners: Plecnik, Young and Hamercheck "NAYS": None.

Minutes approved this seventh day of October, 2021.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JOHN R. HAMERCHECK, PRESIDENT

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RON YOUNG, COMMISSIONER

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JOHN PLECNIK, COMMISSIONER

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JENNIFER BELL, CLERK